IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6566 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PURSHOTTAMNAGAR COOP. HOUSING SOCIETY LTD. (VIBHAG 1 TO 27)

Versus

COLLECTOR

Appearance:

1. Special Civil Application No. 6566 of 2004

MR RS SANJANWALA for Petitioner No. 1

Mr.Gori, Asst.GOVERNMENT PLEADER for Respondent No. 1-2

RULE SERVED for Respondent No. 1-2

RULE UNSERVED for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE JAYANT PATEL

Date of decision: 23/09/2004

ORAL JUDGEMENT

When the matter is taken up for final hearing, Mr.Gori, Ld.AGP confirms the position that as per the letter, dated 3.9.04 issued by the Revenue Dept of the State Govt to the Dist.Collector , Surat, the State Govt is not desirous to move review application in connection with the decision of the Division Bench of this court in LPA No.363/03. He further states under the instructions of the officer of the department that necessary instructions are issued to the concerned officer to certify the Entry No.1128 which is for recording of the order passed by the Division Bench of this court.

2. Under the above circumstances, as the instructions are issued for certifying the entry, no further order is required to be passed. However, the authority is directed to act as per the above recorded staement made by Mr.Gori, Ld.AGP as early as possible preferably within a period of two months from the date of receipt of writ of this court.

It is made clear that the aforesaid certification of the entry shall be without prejudice to the rights and contentions of either side in case the order is modified or reversed by the higher forum through the process known to law.

Subject to aforesaid observations and directions rule is discharged.

23.9.04 (JAYANT PATEL,J)